

REMARKS

Applicant respectfully requests reconsideration of this application as examined pursuant to the office action of September 25, 2002. In that office action, Claims 14-20 were examined. By this Amendment, Applicant cancels Claims 14-20 without prejudice or disclaimer, and adds Claims 23-32. Claims 1-13 and 21-22 have also been canceled without prejudice or disclaimer, as a result of the election of claims made responsive to a restriction requirement. Therefore, Claims 23-32 remain pending, with Claim 23 the only independent one.

Claims 14-20 stand rejected under 35 U.S.C. § 112, first and second paragraphs. Claims 14-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Josephy et al. (U.S. Patent No. 5,451,283). Claims 14-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hirata et al. (U.S. Patent No. 5,965,654), Nakano et al. (U.S. Patent No. 6,051,655) or Rosenbaum et al. (U.S. Patent No. 5,998,019).

Applicant respectfully suggests that the cancellation of Claims 14-20 and the addition of new Claims 23-32 render the rejections under 35 U.S.C. § 112, first and second paragraphs, moot.

Applicant further suggests that the cancellation of Claims 14-20 and new Claims 23-32 render the rejections under 35 U.S.C. § 102 moot as well. Specifically, sole independent Claim 23 describes the film of the present invention as comprising “a mixture of a structural polymeric material and a second polymeric material including a printable material, wherein the monolayer polymeric film is formed by mixing said structural polymeric material and said second polymeric material together without an additional coupling additive to form a unitary mixture, stretching said unitary mixture, heat stabilizing said unitary mixture on one or more heat stabilization rollers at a temperature sufficient to cause a portion of said printable material to bloom to a surface of said unitary mixture, and wherein the steps associated with forming the monolayer polymeric film include restricting shrinkage of said unitary mixture in a transverse direction.” The four references cited in the September 25, 2002, office action fail to describe a film of similar description.

The Josephy reference describes a polymeric film that requires the addition of a coupling additive to ensure the coupling of a soft polar additive and an olefin. Claim 23 of the present invention describes a film formed of a structural material and a secondary material including

printable material, the mixing together of which is done without an additional coupling additive. Further, Josephy describes a multilayer film product rather than a monolayer film. In addition, Josephy does not describe a film formed by heat treatment that causes a portion of the printable material to bloom to the surface of the unitary mixture. Finally, Josephy fails to describe a film formed by means to restrict shrinkage in the transverse direction of the film. The intended blooming of the printable material to the surface of a monolayer film and the formation of that film with a high bi-directional stiffness characteristic resulting from the restriction of the film's shrinkage in the transverse direction render the film of the present invention distinguishable from the multilayer film described by Josephy.

The Hirata reference is directed to structures that cannot be characterized as films, the subject matter of the present invention. See, e.g., the thickness of the parts described in Col. 11 of Hirata. Hirata also fails to describe a monolayer film formed of polymeric materials including a printable material processed to have a portion of that printable material bloom to the surface of the film.

The Nakano reference is directed to formation of thermoplastic resin compositions having improved heat resistance. There is nothing in the Nakano reference that fairly describes a film fabricated in the way that the film of the present invention is formed as described in new independent Claim 23. Nakano does not teach a monolayer film suitable for producing labels, for example, including thin films formed by heat treating to cause a portion of a printable material to bloom to the surface of the film.

The Rosenbaum reference is directed to the fabrication of multilayer film having characteristics suitable for medical uses. Rosenbaum teaches away from a monolayer film, which is the subject matter of the present invention. Rosenbaum focuses on the formation of multilayer structures including a radio frequency susceptible layer. There is no description of a monolayer film fabricated for a relatively high transverse direction stiffness to machine direction stiffness ratio while also providing printability. The film of the present invention as described in new independent Claim 23 is formed with both of those characteristics.

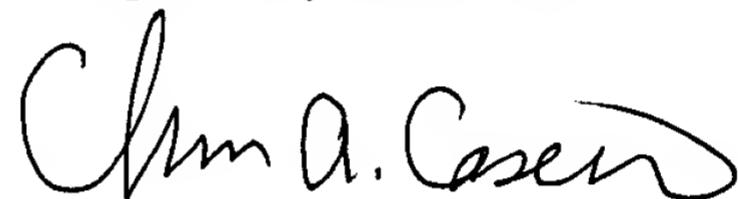
Pursuant to the addition of new Claims 23-32 and in view of the comments directed to the cited prior art, Applicant respectfully suggests that the 35 U.S.C. § 102 rejections have been successfully traversed. Allowance of the new claims is therefore requested.

CONCLUSION

In view of the foregoing amendments and arguments, Applicant suggests that the present application is in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after review of this Amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

This Amendment includes the cancellation of all 22 previously pending claims and the addition of 10 claims, only one of which is independent. Therefore, no additional filing fee is required. This Amendment is being filed with a Petition for Extension of Time and applicable petition filing surcharge.

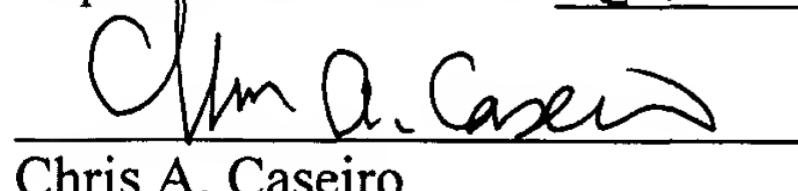
Respectfully submitted,



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